

DISCUSSION OF THE AMENDMENT

The specification has been amended by deleting Example 7, and renumbering Examples 8-10 as Examples 7-9, respectively, and to conform the discussion of the examples of the invention with the inventive examples described in Table 1.

Claim 1 has been amended by incorporating the subject matter of Claim 25 therein; Claim 25 has been canceled. Claim 9 has been amended by incorporating the subject matter of Claim 11 therein; Claim 11 has been canceled. Finally, Claim 12 has been amended to be consistent with the amendment to Claim 1.

No new matter is believed to have been added, or new issue raised, by the above amendment. With entry thereof, Claims 1, 4-9, 12-15, and 18-24 will be pending in the application.

REMARKS

The rejection of Claims 1, 6, 7, 9, 12 and 13 under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over, JP 6-248088 (JP '088), is respectfully traversed. The Examiner's justification for repeating this rejection is that the additional ingredients disclosed in JP '088 meet the recited term "flow aid." However, JP '088 neither discloses nor suggests the presently-recited flow aid. Accordingly, it is respectfully requested that this rejection be withdrawn.

The rejections of Claims 1, 4-9, 12, 13 and 23 under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over, and of Claim 24 under 35 U.S.C. § 103(a) as obvious over, U.S. 4,689,364 (Mumcu et al), are respectfully traversed. The Examiner finds that the additional ingredients disclosed by Mumcu et al, such as solvents, meet the recited "flow aid." In reply, a solvent would not be expected to be a flow aid for a powder. Nevertheless, the rejection is moot for all rejected claims except Claim 23, which does not recite a flow aid. While the Examiner has found that Claim 23 "simply states the result of admixing the two polymers", Claim 23 requires that the titanium dioxide be added "in an amount sufficient to reduce the thermal sensitivity of a molding produced by laser sintering." Mumcu et al, on the other hand, which is drawn to the production of polyamide powders for the coating of metals (column 1, lines 23-24), does not disclose how much titanium dioxide should be added therein. Indeed, the only disclosure of an amount of titanium dioxide is 32 kg mixed with 400 kg of polyamide (column 3, last two lines, and column 6, lines 5 and 11), with no additional disclosure as to why these amounts were used.

For all the above reasons, it is respectfully requested that this rejection be withdrawn.

The rejection of Claims 8, 14, 15, 20, 21 and 24 under 35 U.S.C. § 103(a) as unpatentable over JP '088 in view of U.S. 6,211,266 (Weber et al), is respectfully traversed. The rejection of Claims 8 and 24 is moot in view of the above-discussed amendment.

However, Claims 14, 15, 20 and 21 are drawn to a process for producing moldings by selectively laser-sintering and moldings produced by such laser sintering. These claims do not require the presence of a flow aid, yet the Examiner has only responded to the arguments for claims containing such a component. Thus, the present Office Action is incomplete, and for at least this reason, discussed in detail *infra*, the next Office Action, if not a Notice of Allowance, should not be made FINAL.

As previously argued, JP '088 is drawn to the formation of metallised powders for various utilities, none of which is disclosed as involving molding, let alone laser sintering molding. Thus, without the present disclosure as a guide, one skilled in the art would not use the metallised powders of JP '088, or the powders thereof prior to metallization, to produce a molding, let alone laser sintering molding. In addition, of record is U.S. 6,136,948 (Dickens et al), which shows that selective laser sintering molding presents problems not found in other molding processes. As indicated above, the Examiner has not responded to this argument.

For all the above reasons, it is respectfully requested that this rejection be withdrawn.

The rejection of Claims 1, 4-9, 11-13 and 25 under 35 U.S.C. § 112, second paragraph, is respectfully traversed. Indeed, the rejection would now appear to be moot in view of the above-discussed amendment. Accordingly, it is respectfully requested that the rejection be withdrawn.

Applicants respectfully traverse the finality of the Office Action. As discussed above, the Office Action is incomplete, because the Examiner has not responded to Applicants' arguments with regard to the rejection of Claims 14, 15, 20 and 21 over JP '088 in view of Weber et al. Thus, Applicants have been deprived of the Examiner's reasoning for not finding the above-discussed argument with regard to the rejection persuasive. In addition, Applicants' amendment did **not** necessitate all the new grounds of rejection. The

rejection under 35 U.S.C. § 112, second paragraph with regard to, for example, if or how the term "flow aid" distinguishes over the titanium dioxide component, was **not** necessitated by the amendment. Original Claim 10 required a flow aid. Thus, the issue of if or how the flow aid distinguishes over the titanium dioxide component existed prior to the above-discussed amendment.

Thus, if the Examiner does not find that the present response puts the application in condition for allowance, then the Examiner is respectfully requested to withdraw the finality of the rejection, and enter the present amendment as a matter of right.

Applicants respectfully call the Examiner's attention to the fact that the Form PTO-1449 attached to the Office Action does not contain the Examiner's initials in the appropriate box. **Submitted herewith** is another copy of said form. The Examiner is respectfully requested to initial the form, and include a copy thereof with the next Office communication.

Applicants also call the Examiner's attention to the List of Related Cases filed April 5, 2006.

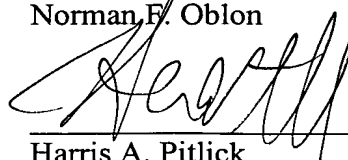
Applicants gratefully acknowledge the Examiner's indication of allowability of the subject matter of Claims 11, 18, 19, 22 and 25. Nevertheless, Applicants respectfully submit that all of the presently pending claims in this application are in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Harris A. Pitlick
Registration No. 38,779